

PUBLISHED BY AUTHORITY

No. 49] NEW DELHI, SATURDAY, DECEMBER 6, 1952

NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 29th November 1952.

Issue No.	No. and date	Issued by	Subject
157	S. R. O. 1949, dated the 25th November 1952.	Ministry of Food and Agriculture.	Direction by the Central Government for enforcing the Foodgrains (Licensing and Procurement) Order, 1952, in certain States.
158	S. R. O. 1987, dated the 28th November 1952.	Ditto.	Reduction in ex-factory price of sugar.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of this Gazette.

PART II—Section 3

Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).

MINISTRY OF HOME AFFAIRS

New Delhi, the 2nd December 1952

S.R.O. 1989.—In exercise of the powers conferred by section 27 of the Indian Arms Act, 1878 (XI of 1878), the Central Government is pleased to exempt Mr. H. J. Trow, General Manager, Burmah Oil Refineries Ltd. from the prohibitions and directions contained in section 6 of the said Act in respect of one 380 bore (.45 frame) Colt Revolver No. 28583 and connected ammunition, if any.

[No. 9/47/52-Police-I.]

U. K. GHOSHAL, Dy. Secy.

(1753)

MINISTRY OF EXTERNAL AFFAIRS*New Delhi, the 22nd November 1952*

S.R.O. 1990.—In exercise of the powers conferred by sub-section (1) of section 213 of the Indian Merchant Shipping Act, 1923 (XXI of 1923), the Central Government hereby directs that the following further amendment shall be made in the Indian Pilgrim Ships Rules, 1933, the same having been previously published as required by sub-section (3) of the said section, namely:—

In the footnote relating to affixation of photograph in Form V of the Forms appended to the said Rules, after the words "photographed" the words "and children under ten years of age" shall be inserted.

[No. 579-AWT.]

LEILAMANI NAIDU, Dy. Secy.

MINISTRY OF FINANCE (REVENUE & EXPENDITURE DEPARTMENT)**ORDER***New Delhi, the 27th November 1952*

S.R.O. 1991.—In exercise of the powers conferred by section 60A of the Indian Income-tax Act, 1922 (XI of 1922), the Central Government hereby makes the following amendments in the Part B States (Taxation Concessions) Order, 1950.

Paragraph 15 of the said Order shall be re-numbered as sub-paragraph (1) of that paragraph and after sub-paragraph (1) as so re-numbered, the following sub-paragraph shall be inserted, namely:—

"(2) Where an assessee is in receipt of any interest on 3½ per cent. debentures 1959-62 of the Trichur Municipality on which income-tax has been paid by the said municipality at the maximum rate such interest shall, for the purposes of any assessment for the year ending on the 31st day of March, 1951, and any subsequent year, be deemed to be interest on securities in respect of which no income-tax is payable under section 8 of the Act."

[No. 86-St(Int)-IT/49.]

A. K. ROY, Joint Secy.

MINISTRY OF COMMERCE AND INDUSTRY*New Delhi, the 27th November 1952*

S.R.O. 1992.—Under rule 9 of the Central Advisory Council (Procedure) Rules, 1952, made under the Industries (Development and Regulation) Act, 1951 (LXV of 1951), Shri G. L. Bansal, 28 Ferozshah Road, New Delhi, was appointed by the Central Government as a substitute to take the place of Shri G. D. Birla, a member of the Central Advisory Council, at the meeting of the Council held on the 3rd October, 1952.

[No. 3(4)IA(G)/52.]

B. B. SAKSENA, Dy. Secy.

New Delhi, the 6th December 1952

S.R.O. 1993.—In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government hereby directs that the following further amendments shall be made in the Cotton Control Order, 1950, namely:—

In the said Order in sub-clause (I) of Clause 9B, for item (iv), the following shall be substituted:—

"(iv) has, during any of the cotton seasons 1949-50, 1950-51 and 1951-52, exported Indian cotton to any place outside India, or

(v) is a Scheduled Bank,

shall be entitled to an 'A' class licence."

[No. 44(12)CT(A)/52-7.]

S. A. TECKCHANDANI, Under Secy.

ORDER

New Delhi, the 29th November 1952

S.R.O. 1994.—In exercise of the powers conferred by section 4 of the Supply and Prices of Goods Act, 1950 (LXX of 1950), and in partial modification of the notification of the Government of India in the late Ministry of Industry and Supply No. S.R.O. 503, dated the 2nd September 1950, in so far as it relates to the fixation of maximum price of caustic soda, the Central Government hereby fixes the following Schedule of maximum price in respect of 3511 cwts (gross) of caustic soda, imported from Germany per s.s. "JALRAJENDRA", during the month of September, 1952 by the Progressive Trading Company, 50, Esaji Street, Bombay 3.

SCHEDULE

1	2	3	4	5
Variety of caustic Soda	Maximum price that may be charged by the importer	Maximum price that may be charged by a distributor	Maximum price that may be charged by a wholesale dealer	Maximum price that may be charged by a retail dealer
Caustic Soda (Solid)	Rs. 33-9-3 per cwt. Ex-godown/F. O. R. Bombay.	The price specified in Column 2 PLUS— (a) actual railway freight by goods train or actual transport charges by sea from Bombay to the place of destination, and (b) handling charges not exceeding annas eight per cwt.	The price specified in Column 3 PLUS a margin not exceeding annas eight per cwt.	The price specified in Column 4 PLUS a margin not exceeding Rs. 1-12-0 per cwt.

NOTE.—These prices are exclusive of local taxes, such as Sales Tax, Octroi and other local taxes which may be charged extra.

[No. 7-PC(12)/52.]

H. K. KAPOOR, Under Secy.

MINISTRY OF FOOD AND AGRICULTURE

(Agriculture)

New Delhi, the 29th November 1952

S.R.O. 1995.—The following draft of certain rules which it is proposed to make in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937, (I of 1937), is published, as required by the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after 30th December 1952.

Any objections or suggestions which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

Draft Rules

1. *Short title.*—These rules may be called the Arecanuts (Grading and Marking) Rules, 1952.

2. *Grade designation.*—Grade designations to indicate the quality of arecanuts of specified varieties grown in India are set out in column 1 of schedule 1.

3. *Definition of quality.*—The quality indicated by the grade designations is set out against such designations in columns 2 to 6 of Schedule 1 and the general characteristics in column 7 of Schedule 1.

4. *Grade designation marks.*—The grade designation mark shall consist of a label, bearing a design (consisting of an outline map of India in conjunction with the word AGMARK) resembling that set out in Schedule II, specifying the grade designation and shall be of the following colour:—

Grade designation		Colour of label
Moti	Special	White
"	A I	Red
"	A II	Blue
Srivardhan	Special	White
"	A I	Red
"	A II	Blue
Jamnagar	Special	White
"	A I	Red
"	A II	Blue
Jeeni	Special	White
"	A I	Red
"	A II	Blue

5. *Method of marking.*—(1) The grade designation mark label shall be securely attached to each container in a manner approved by the Agricultural Marketing Adviser to the Government of India. In addition to the grade designation mark, the following particulars shall be clearly marked on the label:—

Year of harvest.....

Packing centre.....

Date of packing.....

Net weight.....

(2) An authorised packer may, after obtaining the previous approval of the Agricultural Marketing Adviser to the Government of India, mark his private trade mark on a container in a manner approved by the said officer, provided that the private trade mark does not represent a quality or grade of arecanuts different from that indicated by the grade designation mark affixed on the container in accordance with these rules.

6. *Method of packing.*—(1) The arecanuts shall be packed in gunny bags which are clean, dry and in good sound condition. Containers which have been previously used for commodities likely to cause damage or impart any flavour, odour or other undesirable characteristics to the arecanuts shall not be employed.

(2) Each bag shall contain only arecanuts of the crop year specified and of one grade designation only.

7. *Arrangements for analysis.*—An authorised packer shall make such arrangements for testing arecanuts as may be prescribed by the Agricultural Adviser to the Government of India from time to time.

SCHEDULE I

(See Rule 3)

Draft Grade Specifications for whole dried arecanuts or betelnuts (Kottapak) produced in India

Grade designation	Special characteristics					General Characteristics
	Diameter*	Minimum percentage of topwalnuts**	Colour of pith		Damaged nuts maximum percentage†	
			Copra white minimum percentage	Yellowish brown maximum percentage		
1	2	3	4	5	6	7
MOTI Special	1" and over but not exceeding 1.2"	75	90	Nil	1/2	The nuts shall be whole, fully husked of light colour, and reasonably mature and dry. The nuts shall not be worm eaten or otherwise damaged from outside or inside.
A I	do.	40	60	10	1	
A II	do.	10	10	60	2	
SRIVARDHAN Special	0.9" and over but less than 1"	75	90	Nil	1/2	
A I	do.	40	60	10	1/2	
A II	do.	10	10	60	1/2	
JAMNAGAR Special	0.8" and over but less than 0.9"	75	90	Nil	1/2	
A I	do.	40	60	10	1/2	
A II	do.	10	10	60	1/2	
JEENI Special	Under 0.8"	75	90	Nil	1/2	
A I	do.	40	60	10	1/2	
A II	do.	10	10	60	1/2	

*To allow for accidental errors in grading 5 per cent of nuts of the next lower or higher grade shall be permitted.

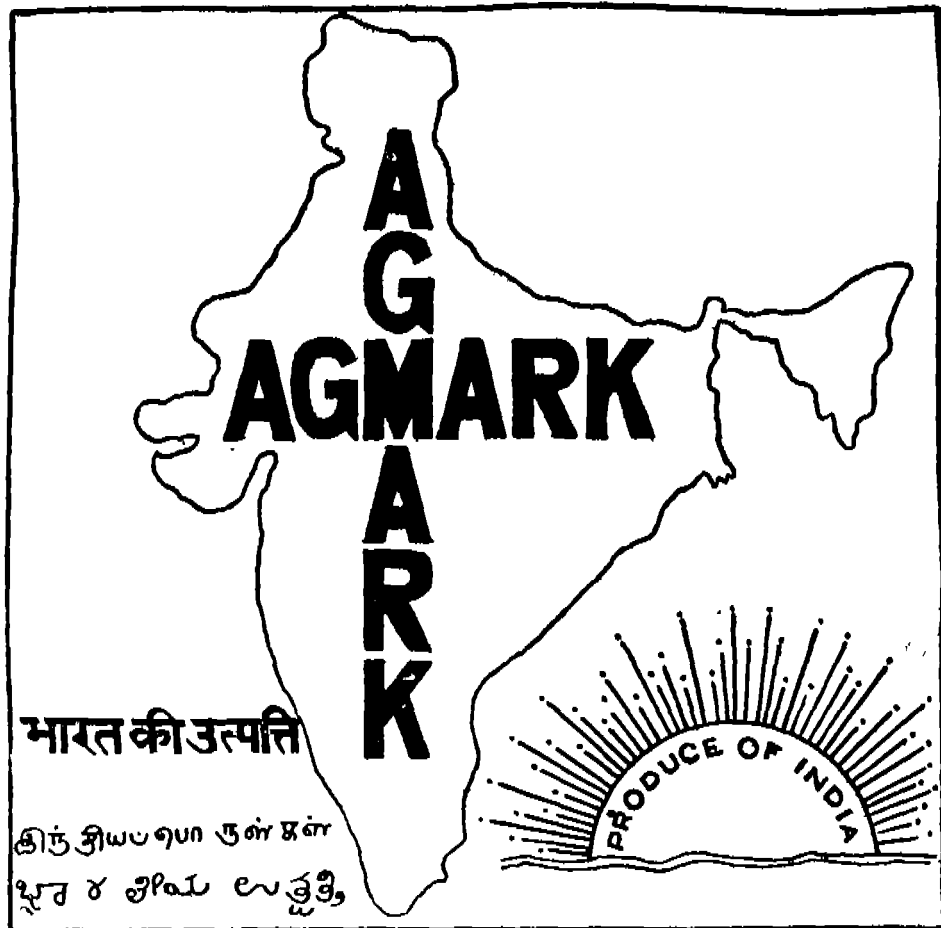
**A nut having a portion of its endocarp adhering to it.

†Damaged nuts include cracked and broken nuts (Bomda) pieces, nuts not fully husked and those the pith (bhong) of which is black or otherwise damaged by moulds, insects, etc.

SCHEDULE II

Grade designation mark for arecanuts.

(See Rule 4)



[No. F.3-14/52-Dte.II.]

J. S. RAJ, Under Secy.

New Delhi, the 6th December, 1952

S.R.O. 1996.—In exercise of the powers conferred by clause 2(a) of the Vegetable Oil Products Control Order, 1947, as amended by the Government of India in the Ministry of Food & Agriculture Notification No. S.R.O. 2040, dated the 22nd December, 1951, I hereby authorise the officers specified in Col. 2 of the Schedule hereto annexed in respect of their respective jurisdiction in the State mentioned in Col. 1, to exercise within their jurisdiction and subject to such directions as may be issued by me from time to time in this behalf, the powers of the Vegetable Oil Products Controller for India under clause 13 of the said Order.

THE SCHEDULE

<i>S</i>	<i>Designation of Authority</i>
Bhopal	1. Health Officer, Municipal Board, Bhopal.
	2. All qualified Sanitary Inspectors working under the Health Officer, Municipal Board, Bhopal.
	3. Inspectors of the Food & Civil Supplies Department, Bhopal.
Assam	1. Supply Department Officers not below the rank of Sub-Inspectors of Supply.
	2. District Medical Officers of Health
	3. Sub-Divisional Medical Officers of Health.
	4. Urban Health Officers and Food Inspectors of the Public Health Department.

[No. 2-VP(2)52.]

P. A. GOPALAKRISHNAN,

Vegetable Oil Products Controller for India.

MINISTRY OF IRRIGATION AND POWER

New Delhi, the 29th November 1952

S.R.O. 1997—In exercise of the powers conferred by sub-section (1) of section 38 of the Indian Electricity Act, 1910 (IX of 1910), the Central Government hereby directs that the following amendment shall be made in the notification of the Government of India in the late Department of Labour, No. A-207(1), dated the 19th December, 1940, namely:—

For the Schedule annexed to the said notification the following Schedule should be substituted, namely:—

SCHEDULE

<i>Officers</i>	<i>Railways and areas</i>
(1)	(2)
Chief Electrical Engineer, Western Railway.	Western Railway.
	Southern Railway.
	W.I.P. Railway.
	Tenali-Repake Railway.
Chief Electrical Engineer, Southern Railway.	Cochin Harbour Extension Line.
	Alnavara-Dandelli Railway.
	Pondicherry Railway.
	Peralam-Karajkal Railway.
	Tinnevely-Tiruchendur Railway.
	Nanjangud-Chamarajanagar Railway.

1	2
Chief Electrical Engineer, Central Railway.	Central Railway. Barsi Light Railway. Electrified Railway area of the Bombay Port Trust.
Chief Electrical Engineer, Eastern Railway.	Eastern Railway. Arrah-Sasaram, Bukhtiarpur-Bihar and Futwah-Islampur Light Railways. Ahmadpur-Katwa, Bankura-Damodar River, Bardwan-Katwa-Railways. Howrah-Amta, Howrah-Sheakhala Bengal Provincial Railway, Dehri-Rohtas, Baraset-Basirhat Light Railways, Kalighat-Falta Railways. Chittaranjan Locomotive Workshop.
Chief Electrical Engineer, North Eastern Railway.	North Eastern Railway.
Chief Electrical Engineer, Northern Railway.	Northern Railway. Shahdara-Saharanpur Light Rly. Jagadhri Light Railway.

[No. EL.II-207(13).]

T. SIVASANKAR, Joint Secy.

MINISTRY OF HEALTH*New Delhi, the 27th November 1952*

S.R.O. 1998.—In exercise of the powers conferred by clause (d) of sub-section (1) of section 3 of the Indian Medical Council Act, 1933 (XXVII of 1933), the Central Government is pleased to re-nominate Dr. Jivraj N. Mehta, M.D., M.R.C.P., F.C.P.S., to be a member of the Medical Council of India, with effect from the 13th October, 1952.

[No. F.5-6/52-M.I.]

KRISHNA BIHARI, Asstt. Secy.

MINISTRY OF EDUCATION

(ARCHAEOLOGY)

New Delhi, the 4th November 1952

S.R.O. 1999.—In exercise of the powers conferred by sub-section (1) of section 3 of the Ancient Monuments Preservation Act, 1904 (VII of 1904), the Central Government is pleased to declare the ancient monuments described in the Annexed Schedule to be protected monuments within the meaning of the said Act.

SCHEDULE

Serial No.	District	Locality	Name of monuments	Survey Number	Extent	Ownership	Boundary	North-South West	East-	Remarks
1	2	3	4	5	6	7		8		9
1	Chhatarpur	Khajuraho	Three groups of temples numbering 24 of the 10th century A. D.							
			1. <i>Western Group</i>							
			1. Chausath Jogini temple	478	0—58	Government		North Plot No. 479, South Plot No. 497, East Plot No. 497, West plot No. 477.		
			2. Lalguan Mahadeva .	381	0—3	"				
			3. Kandariya Temple .	516	0—56	"		Plot No. 494 on all four sides.		
			4. Mahadeva Temple .	516	0—56	"		Do.		
			5. Devi Jagadambi .	516	0—56	"		Do.		
			Temple.							
			6. Chitrugupta or Bharat-ji's Temple.	515	0—28	"		Plot No. 488 on all four sides.		
			7. Chopra or Square Tank.	518	0—11	"		Plot No. 159 on all four sides.		
			8. Visvanatha Temple .	1777	0—43	"		North P. No. 29, South P. No. 1784/1, East P. No. 29, West P. No. 1784/2.		
			9. Nandi Temple .	1777	0—43	"		Do.		
			10. Parvati Temple .	1779	0—14	"		North P. No. 1784/2, South P. No. 1784/1, East P. No. 1784/1, West P. No. 1784/2.		
			11. Lakshman Temple .	1781	0—54	"		Plot No. 1784/1 on all sides.		
			12. Matangesvara Temple	1781	0—34	"		North P. No. 1781, South P. No. 1785/1, East P. No. 1784/1, West P. No. 1784/1.		
			13. Varaha Temple .	1783	0—2	"		North P. No. 1782, South P. No. 1784/1.		

1	2	3	4	5	6	7	8	9
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II. *Eastern Group*

1. Colossal statue of Shri Hanuman.	1733	0—9	Government	North P. No. 1731, South P. No. 1734. East P. No. 1732, West P. No. 1731.
2. Brahma Temple .	1370	0—7	„	North P. No. 1370A, South P. No. 1372. East P. No. 1372, West P. No. 1670/11.
3. Vamana Temple .	1331	0—31	„	Plot No. 1332 on all four sides.
4. Kakra Marh . .	505	0—39	„	North P. No. 507, South P. No. 500—504, East P. No. 504, West P. No. 499.
5. Javari Temple .	1341	0—11	„	North P. No. 1342, South P. No. 1342, East P. No. 1342, West P. No. 1342.
6. Ghautai Temple .	1381	0—29	„	North P. No. 1380, South P. No. 830, East P. No. 830, West P. No. 1382-1384.
7. Adinatha Temple .	855	2—58	„	North P. Nos. 856 and 998, South P. No. 853, East P. No. 854, West P. No. 998/2067.
8. Parsvanatha Temple .				
9. Santinatha Temple .				

III. *Southern Group*

				1. Duladeo Temple	1440	0—25	„	Plot No. 1441/2 on all sides, South River Khudar.
				2. Jatakari or Chturbhuj Temple.	...	...	„	..
2	Panna	.	.	Ajaigarh . . Ajaigarh Fort and its remains.	...	...	„	..
3	Panna	.	.	Ajaigarh . . Two temples ascribed to Gupta Period.	...	...	„	..
4	Panna	.	.	Nachna . . Nachna Kuthara Parvati Temple.	96	0—4	„	..
5	Satna	.	.	Bachhaun . . Inscription in the fort of Bachhaun.	...	...	„	..

6	Sidhi	Chaudreh	Temple and Monastery	41 40	0—6 0—16	”	North P. Nos. 21 and 622, South P. Nos. 40, 34 and 39, East P. No. 47, West P. Nos. 622 and 34.
7	Shahdol	Amarkantak	1. Karan Temple	...	...	”	..
8	Shahdol	”	2. Shiva Temple	...	...	”	..
9	Shahdol	”	3. Temple of Patalesvara	...	...	”	..
10	Rewa	Gahira	Fresco Paintings	152	126—91	”	Jungle on all sides.
11	Shahdol	Silahra	Caves bearing inscriptions of 1st Century A. D.	6	0—02	”	North village Darsagar, South P. No. 24, East P. No. 7, West P. No. 5.
12	Shahdol	Sohagpur	Virath Temple and re- mains.	515	0—03	”	North P. No. 384, South P. No. 512, East P. No. 516, West P. No. 437.
13	Rewa	Gurgi	Gurgi and Rehunta Re- mains.	163 411	11—29 22—66	”	
14	Satna	Bharhut	Remains	286	23 bighas 5·6	”	
15	Satna	Bhumra	Remains	3	472 bighas	”	In the midst of thick Forest.
16	Rewa	Mehaghat	Inscriptions	42	2' x 2' 3' x 2'	”	North Abadi, South Jungle East Abadi, West Jungle.
17	Rewa	Keoti	Inscriptions in Cave	1103	13" x 1 1/2" 2' 8" x 5" 13" x 8"	”	North Jungle, South Mahana river, East Garhi, West Abadi.

[No. F.3-66/52-A.2.]

T. S. KRISHNAMURTI, Asstt. Secy,

MINISTRY OF REHABILITATION

New Delhi, the 27th November 1952

S.R.O. 2000.—In exercise of the powers conferred by section 57 of the Displaced Persons (Debts Adjustment) Act, 1951 (LXX of 1951), the Central Government hereby makes the following rules:—

1. These rules may be called the Insurance Claims Board Rules, 1952.
2. In these rules,—
 - (a) "the Act" means the Displaced Persons (Debts Adjustment) Act, 1951 (LXX of 1951);
 - (b) "the Board" means the Insurance Claims Board constituted under rule 3.
3. (1) For the purposes of sub-section (2) of section 18 of the Act, there shall be constituted a Board called the Insurance Claims Board which shall consist of six members nominated by the Central Government as follows:—
 - (a) three members to represent respectively the Ministries of Law, Finance and Rehabilitation of the Government of India;
 - (b) two members to represent respectively the members and associate members of the General Insurance Council; and
 - (c) one member to represent the displaced persons.
- (2) The person nominated to represent the Ministry of Law shall be the Chairman of the Board.

4. In making any proposal to the Tribunal respecting the amount for which any claim against an insurance company shall be decreed, the Board shall take into account the following matters, namely:—

- (i) the amount of loss determined by the Tribunal;
- (ii) the total amount of losses determined by the Tribunal under claims preferred against the insurance company under the Act;
- (iii) the financial position of the insurance company, as disclosed to the Board on the basis of information supplied by the insurance company (whether *suo motu* or on a request made in that behalf by the Board) or on the basis of information available to the Board from any other source;
- (iv) the extent to which reinsurances ceded by the company would be available to meet decrees which may be passed against the company under sub-section (2) of section 18 of the Act, and the liability on account of the reinsurances accepted by the company on policies which the company may have to meet under the said sub-section if claims with respect thereto are decreed;
- (v) subject to the provisions contained in the Act, the practice and principles normally prevailing in the insurance business in respect of such claims.

5. The Board shall, after taking into account the matters specified in rule 4 and any other matter which in its opinion is relevant for the purpose, propose to the Tribunal the amount for which, in its opinion, it is equitable to pass a decree against the insurance company:

Provided that in no case shall an amount be proposed which is in excess of the value of the property insured.

6. Subject to the approval of the Central Government, the Board may sit at such places as it thinks fit for the exercise of its functions under the Act and these rules, and shall follow such procedure as the Chairman may, by general or special order, direct.

7. In the event of any difference of opinion among the members of the Board with respect to any proposal to be made to the Tribunal, the opinion of the majority shall prevail, and if the opinion of the Board is evenly divided the opinion of the Chairman shall prevail.

8. The members nominated under clauses (b) and (c) of sub-rule (1) of rule 3 shall be entitled to travelling and daily allowances at the maximum rates at which they are admissible to officers of Grade I of the Central Government.

9. No proposal of the Board shall be invalid by reason only—

- (a) of the existence of any vacancy in the Board, or
- (b) of any change having occurred in the constitution of the Board.

[No. 68(24)51-Prop.]

New Delhi, the 29th November 1952

S.R.O. 2001.—In exercise of the powers conferred by section 13 of the Evacuee Interest (Separation) Act, 1951 (LXIV of 1951), the Central Government hereby appoints Shri Basant Krishan Khanna B.A., LL.B., as Appellate Officer, for the States of Delhi, Ajmer, Himachal Pradesh, Vindhya Pradesh, Bhopal, Kutch, Coorg and Bilaspur.

[No. 52(37)/52-Prop.]

MANMOHAN KISHAN, Asstt. Secy.

MINISTRY OF COMMUNICATIONS

(Posts & Telegraphs)

New Delhi, the 29th November 1952

S.R.O. 2002.—In exercise of the powers conferred by the Indian Post Office Act, 1898 (VI of 1898), the Central Government hereby directs that the following further amendments shall be made in the Indian Post Office Rules, 1933, namely:—

- (a) In rule 183 of the said Rules for clause (dd), the following clause shall be substituted, namely:—

“(dd) the Secretary, Indian Central Tobacco Committee and officers in-charge of the various research and other schemes conducted from funds placed at their disposal by the said Committee, provided that the articles posted by them relate solely to the business of the said Committee.”

- (b) after clause (ff) the following clauses shall be inserted, namely:—

“(gg) The Secretary, the Indian Central Oilseeds Committee, provided the articles posted by him relate solely to the business of the said Committee.

(hh) The Secretary, Central Council of Gosamvardhana, provided the articles posted by him relate solely to the business of the said Council.

(ii) The President, Board of Secondary Education, West Bengal, provided the articles posted by him relate solely to the public business of the Board.

(jj) The Secretary, Board of High School and Intermediate Education, Ajmer, Bhopal and Vindhya Pradesh, provided that the articles posted by him relate solely to the public business of the said Board.

(kk) The Secretary, the State Primary Education Board, Assam, provided that the articles posted by him relate solely to the public business of the said Board.

(ll) Arbitrators appointed under the specific orders of the Registrar of Co-operative Societies in Madras State, to attend to arbitration work connected therewith, provided that the articles posted by them relate solely to such arbitration.”

[No. C.28-7/51.]

K. V. VENKATACHALAM, Dy. Secy.

MINISTRY OF TRANSPORT

New Delhi, the 24th November 1952

S.R.O. 2003.—In exercise of the powers conferred by section 2 of the Part C States Laws Act, 1950 (XXX of 1950), the Central Government hereby extends

the United Provinces Roadside Land Control Act, 1945 (The United Provinces Act X of 1945), as at present in force in the State of Uttar Pradesh, to the State of Bilaspur, subject to the following modifications, namely:—

Modifications

1. Throughout the Act for the words 'State Government' wherever they occur, the words "Chief Commissioner" shall be substituted.

2. For sub-section (2) of section 1, the following sub-section shall be substituted, namely:—

"(2) It shall extend to the whole of the State of Bilaspur".

3. For clause (iii) of section 9, the following clause shall be substituted, namely:—

"(iii) The market value of the land shall be assessed as if no declaration under sub-section (1) of section 3 had been made in respect of the area in which it is situated and no restrictions upon its use and development had been imposed, any compensation already paid to the claimant or to any of his predecessors in interest for injurious affection being deducted from the market value as so assessed".

4. For sub-section (3) of section 17, the following sub-section shall be substituted, namely:—

"(3) All rules made under this section shall be subject to the condition of previous publication and the provisions of section 23 of the General Clauses Act, 1897, shall apply as if this were a Central Act."

5. 'The Schedule' shall be omitted.

ANNEXURE

1. *Short title, extent and commencement.*—(1) This Act may be called the United Provinces Roadside Land Control Act, 1945.

(2) It shall extend to the whole of the State of Bilaspur.

(3) It shall come into force on such date as the Chief Commissioner may, by notification in the official Gazette, appoint.

2. *Interpretation.*—In this Act, unless there is anything repugnant in the subject or context,—

(1) "agriculture" includes horticulture and the planting and upkeep of orchards;

(2) "building" means a house, hut, shed or other roofed structure, for whatsoever purpose and of whatsoever material constructed, and every part thereof, and includes a wall or masonry platform or masonry ditch or drain, but does not include a tent or other such portable and merely temporary shelter;

(3) "Collector" includes any authority appointed by the Chief Commissioner by notification in the official Gazette, to perform all or any of the functions of the Collector under this Act;

(4) "place of worship" includes a temple, church, mosque, imambara, dargah, karbala, takya, idgah, samadhi, math, satl ka than or gurdwara;

(5) "prescribed" means prescribed by rules made under this Act; and

(6) "road" means a metalled road maintained by the Chief Commissioner or by a local authority or a route demarcated by the Chief Commissioner or a local authority with a view to constructing along it a metalled road.

3. *Declaration of controlled area.*—(1) The Chief Commissioner may, by notification in the official Gazette, declare any land within a distance of four hundred and forty yards from the centre line of any road to be a controlled area for the purposes of this Act.

(2) Not less than three months before making a declaration under sub-section (1) the Chief Commissioner shall cause to be published in the official Gazette and in at least two newspapers printed in a language other than English a notification stating that he proposes to make such a declaration and specifying therein the boundaries of the land in respect of which the declaration is proposed to be made, and copies of every such notification or of the substance thereof shall be published

by the Collector in such manner as he thinks fit at his office and at such other places as he considers necessary within the said boundaries.

(3) Any person interested in any land included within the said boundaries may, at any time before the expiration of thirty days from the last date on which a copy of such notification is published by the Collector, object to the making of the declaration or to the inclusion of his land or any part of it within the said boundaries.

(4) Every objection under sub-section (3) shall be made to the Collector in writing, and the Collector shall give to every person so objecting an opportunity of being heard either in person or through a legal practitioner, and shall, after all such objections have been heard and after such further enquiry, if any, as he thinks necessary, forward to the Chief Commissioner the record of the proceedings held by him together with a report setting forth his recommendations on the objections.

(5) If before the expiration of the time allowed by sub-section (3) for the filing of objections no objection has been made, the Chief Commissioner may proceed at once to the making of a declaration under sub-section (1). If any such objections have been made, the Chief Commissioner shall consider the record and the report referred to in sub-section (4) and may either—

(a) abandon the proposal to make a declaration under sub-section (1), or

(b) make such a declaration in respect of either the whole or a part of the land included within the boundaries specified in the notification under sub-section (2).

(6) For the purposes of sub-section (3) a person shall be deemed to be interested in land if he is a "person interested" as defined in clause (b) of section 3 of the Land Acquisition Act, 1894, for the purposes of that Act or, where the land is land occupied by or for the purposes of a place of worship, tomb, cenotaph, graveyard, grave or marghat, if he is a member of the faith to which such building pertains.

(7) A declaration made under sub-section (1) shall, unless and until it is withdrawn, be conclusive evidence of the fact that the area to which it relates is a controlled area.

4. *Plans of controlled areas to be deposited at certain offices.*—(1) The Collector shall deposit at his office and at such other places as he considers necessary, plans showing all lands declared to be controlled areas for the purposes of this Act, and setting forth the nature of the restrictions applicable to the land in any such controlled area.

(2) The plans so deposited shall be available to the public for inspection free of charge at all reasonable times.

5. *Restrictions on building, etc., in a controlled area.*—Notwithstanding anything contained in any other law for the time being in force, no person shall erect or re-erect any building, or make or extend any excavation, or lay out any means of access to a road in a controlled area except with the previous permission of the Collector in writing.

6. *Application for permission to build, etc., and the grant or refusal of such permission.*—(1) Every person desiring to obtain the permission referred to in section 5 shall make an application in writing to the Collector in such form and containing such information in respect of the building, excavation or means of access to which the application relates as may be prescribed.

(2) On receipt of such application the Collector after making such enquiry, as he considers necessary, shall by order in writing, either—

(a) grant the permission, subject to such conditions, if any, as may be specified in the order, or

(b) refuse to grant such permission.

(3) When the Collector grants permission subject to conditions under clause (a) of sub-section (2) or refuses to grant permission under clause (b) of sub-section (2), the conditions imposed or the grounds of refusal shall be such as are reasonable having regard to the circumstances of each case.

(4) The Collector shall not refuse permission to the erection or re-erection of a building, not being a dwelling house, if such building is required for purposes subservient to agriculture, nor shall the permission to erect or re-erect any such

building be made subject to any conditions other than those which may be necessary to ensure that the building will be used solely for the purposes specified in the application for permission.

(5) The Collector shall not refuse permission to the erection or re-erection of a building which was in existence on the date on which the declaration under sub-section (1) of section 3 was made, nor shall he impose any conditions in respect of such erection or re-erection unless it involves the addition of one or more storeys to the building or the extension of the plinth area of the building by more than one-eighth of the original plinth area, or there is a probability that the building will be used for a purpose other than that for which it was used on the date on which the said declaration was made.

(6) If at the expiration of a period of three months after an application under sub-section (1) has been made to the Collector no order in writing has been passed by the Collector, permission shall be deemed to have been given without the imposition of any conditions.

(7) The Collector shall maintain a register with sufficient particulars of all permissions given by him under this section and the register shall be available for inspection without charge by all persons interested and such persons shall be entitled to take extracts therefrom.

7. *Right of appeal.*—(1) Any person aggrieved by an order of the Collector under sub-section (2) of section 6 granting permission subject to conditions or refusing permission may within thirty days from the date of such order prefer an appeal to the Chief Commissioner.

(2) The order of the Chief Commissioner on appeal shall be final.

8. *Compensation.*—(1) No person shall be entitled to claim compensation under this or any other Act for any injury, damage or loss caused or alleged to have been caused by an order—

- (a) refusing permission to make or extend an excavation, or granting such permission but imposing conditions on the grant, or
- (b) refusing permission to lay out a means of access to a road, or granting such permission but imposing conditions on the grant, or
- (c) granting permission to erect or re-erect a building but imposing conditions on the grant.

(2) When an order has been made refusing permission to erect or re-erect a building any person who has exercised the right of appeal given by sub-section (1) of section 7 may, within three months of the date of the order of the Chief Commissioner, make to the Chief Commissioner a claim for compensation on the ground that his interest in the land concerned is injuriously affected by the said order.

(3) On receipt of a claim under sub-section (2) the Chief Commissioner shall either proceed to acquire the land concerned under the Land Acquisition Act, 1894 (I of 1894), or transfer the claim for disposal to an officer exercising the powers of a Collector under the said Act:

Provided that in case the Chief Commissioner decides to acquire the land, (i) it shall not be necessary for land occupied by a place of worship, tomb, cenotaph, graveyard, grave or marghat to be included, and (ii) the claimant shall be entitled to be repaid by the acquiring authority the amount of expense which he may have properly incurred in connection with the preparation and submission of his claim for compensation under this section, and in default of agreement such an amount shall be determined by the authority deciding the value of the land in the proceedings under the Land Acquisition Act, 1894 (I of 1894).

(4) Nothing in this section shall be deemed to preclude the settlement of a claim by mutual agreement.

9. *Compulsory acquisition.*—If the Chief Commissioner decides to acquire the land under the Land Acquisition Act, 1894 (I of 1894), then, notwithstanding anything contained in that Act,—

(i) proceedings under section 5-A of that Act shall not be required;

(ii) the notification under section 6 of that Act shall be published within six months from the date of institution of the claim, failing which the claim shall be transferred for disposal to an officer exercising the powers of a Collector under that Act;

- (iii) the market value of the land shall be assessed as if no declaration under sub-section (1) of section 3 had been made in respect of the area in which it is situated and no restrictions upon its use and development had been imposed, any compensation already paid to the claimant or to any of his predecessors in interest for injurious affection being deducted from the market value as so assessed.

10. *Amount of Compensation how determined.*—(1) When a claim is transferred for disposal under section 8 or section 9 to an officer exercising the powers of a Collector under the Land Acquisition Act, 1894 (I of 1894), such officer shall make an award determining the amount of compensation, if any, payable to the claimant.

(2) The amount of compensation awarded under sub-section (1) shall in no case exceed—

(a) the amount that would have been payable if the land had been acquired under section 9, or

(b) the difference between the market value of the land in the existing condition having regard to the restrictions actually imposed upon its use and development by the order refusing permission to erect or re-erect a building thereon, and its market value immediately before the publication under sub-section (2) of section 3 of the notification in pursuance of which the area in which it is situated was declared to be a controlled area, and

no compensation shall be awarded under sub-section (1)—

(i) unless the claimant satisfies the officer making the award that proposals for the development of the land which at the date of the application under sub-section (1) of section 6 are immediately practicable, or would have been so if this Act had not been passed, are prevented or injuriously affected by the restriction imposed under this Act, or

(ii) if and in so far as the land is subject to substantially similar restrictions in force under some other enactment which were so in force at the date when the restrictions were imposed under this Act, or

(iii) if compensation in respect of the same restrictions in force under this Act or of substantially similar restrictions in force under some other enactment has already been paid in respect of the land to the claimant or to any predecessor in interest of the claimant.

(3) The provisions of Part III, as modified by section 9, clause (iii) and Parts IV, V and VIII of the Land Acquisition Act, 1894 (I of 1894), shall, so far as may be, apply to an award under sub-section (1) as though it were an award made under that Act.

11. *Saving for other enactments.*—Nothing in this Act shall affect the power of any authority to acquire land or to impose restrictions upon the use and development of land under any other enactment for the time being in force.

12. *Prohibition of use of any land as a brick field, etc. without licence.*—(1) Notwithstanding anything contained in any other law for the time being in force, no land within a controlled area shall be used for the purposes of a charcoal-kiln, pottery-kiln or lime-kiln and no land within a controlled area shall be used for the purposes of a brick-field or brick-kiln except under and in accordance with the conditions of, a licence from the Collector which shall be renewable annually.

(2) The Chief Commissioner may charge such fees for the grant and renewal of such licences and may impose such conditions in respect thereof as may be prescribed.

(3) No person shall be entitled to claim compensation under this or any other Act for any injury, damage or loss caused or alleged to have been caused by the refusal of a licence under sub-section (1).

13. *Offences and penalties.*—(1) Any person who—

(a) erects or re-erects any building or makes or extends any excavation or lays out any means of access to a road in contravention of the provisions of section 5 or in contravention of any conditions imposed by an order under section 6 or section 7, or

(b) uses any land in contravention of the provisions of sub-section (1) of section 12, shall be punishable with fine which may extend to five hundred rupees and, in the case of a continuing contravention, with a further fine which may extend to fifty rupees for every day after the

date of the first conviction during which he is proved to have persisted in the contravention.

(2) Without prejudice to the provisions of sub-section (1), the Collector may order any person who has committed a breach of the provisions of the said sub-section to restore to its original state or to bring into conformity with the conditions which have been violated, as the case may be, any building or land in respect of which a contravention such as is described in the said sub-section has been committed, and if such person fails to do so within three months of the order, may himself take such measures as may appear to him to be necessary to give effect to the order, and the cost of such measures shall be recoverable from such person as arrear of land revenue.

14. *Trial of offences.*—No Court inferior to that of a Magistrate of the first class shall try any offence punishable under this Act.

15. *Protection of persons acting under this Act.*—No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done under this Act.

16. *Savings.*—Nothing in this Act shall apply to—

- (a) the erection or re-erection of buildings upon land included in the inhabited site of any village as entered and demarcated in the revenue records or upon sites in a municipal, notified, or town area that are already built up on the date of the issue of the notification under sub-section (2) of section 3 of this Act;
- (b) the erection or re-erection of a place of worship or a tomb, cenotaph, grave, graveyard, or marghat or of a wall enclosing a place of worship, tomb, cenotaph, grave, graveyard, or marghat on land which is, at the time a notification under sub-section (2) of section 3 is published by the Chief Commissioner, occupied, by or for the purposes of such place of worship, tomb, cenotaph, grave, graveyard, or marghat;
- (c) excavations (including wells) made in the ordinary course of agricultural operations;
- (d) the construction of an unmetalled road intended to give access to land solely for agricultural purposes.

17. *Power to make rules.*—(1) The Chief Commissioner may make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power such rules may provide for all or any of the following matters, namely:—

- (a) the form in which applications under sub-section (1) of section 6 shall be made and the information to be furnished in such applications;
- (b) principles according to which applications under sub-section (1) of section 6 shall normally be allowed or disallowed by the Collector;
- (c) the regulation of the laying out of means of access to roads;
- (d) the fees to be charged for the grant and renewal of licences under section 12 and the conditions governing such licences.

3. All rules made under this section shall be subject to the condition of previous publication and the provisions of section 23 of the General Clauses Act, 1897, shall apply as if this were a Central Act.

[No. PL-7(23)52.]

G. M. McKELVIE, Joint Secy.

PORTS

New Delhi, the 25th November 1952

S.R.O. 2004.—The following draft of further amendments to the Bombay Port Rules, 1925, published with the notification of the Government of Bombay in the late Marine Department, No. 441/42M, dated the 19th January, 1925, which it is proposed to make in exercise of the powers conferred by sub-section (1) of section 6 of the Indian Ports Act, 1908 (XV of 1908), is published, as required by sub-section (2) of the said section for the information of all persons likely to be affected thereby, and notice is hereby given that the draft will be taken into consideration on or after the 29th December, 1952.

Any objection or suggestion which may be received from any person in respect of the said draft before the date specified will be considered by the Central Government.

Draft Amendments

In the said Rules—

1. for the existing rule 20 of Part I, the following rule shall be substituted, namely:—

“20. Vessels having on board petrol in quantities which are reasonably necessary for use with emergency dynamos and emergency wireless transmitters and other domestic requirements will be permitted to proceed to any anchorage.”

2. for the existing rule 3 of Part IV, the following rule shall be substituted, namely:—

“3. Dangerous and non-dangerous petroleum shall not be transported at the same time on a cargo boat unless the containers for non-dangerous petroleum are of the same type prescribed for dangerous petroleum as laid down in rule 27 of the petroleum Rules, 1937. In the case of dangerous and non-dangerous petroleum being transported at the same time on a cargo boat in accordance with the condition prescribed above, non-dangerous petroleum shall be treated as dangerous petroleum”.

[No. 8-P.I(126)/52.]

T. S. PARASURAMAN, Dy. Secy.

(MERCHANT SHIPPING)

New Delhi, the 29th November, 1952

S.R.O. 2005.—The following draft of certain further amendments to the Rules published with the Notification of the Government of India in the late Department of Finance and Commerce, No. 1354, dated the 14th March, 1889, which it is proposed to make in exercise of the powers conferred by sub-section (1) of section 191 of the Indian Merchant Shipping Act, 1923 (XXI of 1923), is published as required by sub-section (3) of the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after 1st January 1953.

Any objection or suggestion which may be received from any person in respect of the said draft before the date specified will be considered by the Central Government.

Draft amendments

After rule VIII, the following shall be inserted namely:—

“BB.—Inspection of ships and issue of certificates.

VIII. A.—Every such ship shall be inspected by the Port Health Officer at a major port of embarkation (*Viz.* Bombay, Calcutta, Madras, Cochin or Visakhapatnam) and at such other ports as may be notified from time to time by the Central Government, in this behalf. The inspection at a major port of embarkation shall take place every time before a ship embarks, and at any other port, notified as aforesaid at such intervals and at such times as may be found convenient by the Port Health Officer concerned. Every Port Health Officer shall issue a certificate of inspection in the form appended to these rules, after carrying out the necessary inspection and examination and after satisfying himself that the food, materials, utensils, cooking places and the dining spaces for unberthed passengers are satisfactory and the catering staff are fit and in good health to carry out their duties without detriment to the health of the passengers. The certificate of inspection will be in triplicate, of which one copy will be given to the Master of the ship, and the duplicate will be forwarded to the Principal Officer, Mercantile Marine Department (of the Madras, Bombay or Calcutta District as may be appropriate). The triplicate will be retained by the Port Health Officer.

The Master of a ship as soon as he obtains a copy of the certificate of inspection will take all necessary steps to rectify any defect in the condition of food or materials, and any other matter pointed out in the certificate, and shall replace,

before embarkation. any member of the catering staff who has been certified to be medically unfit.

In any case, where for any special reason it has not been possible for the Port Health Officer at the main port of embarkation to issue a certificate of inspection as provided above, the Port Health Officer concerned shall arrange to issue to the Master of the ship a certificate of exemption, in the form provided in Appendix II to these rules. A copy of such certificate shall be forwarded to the Principal Officer, Mercantile Marine Department, concerned.

The Master of any ship omitting to obtain the said certificate from the Port Health Officer in the main port of embarkation or who fails to rectify any defects pointed out in the certificate or to replace any member of the catering staff, certified as medically unfit shall be punishable with fine which may extend to two hundred rupees, and when the breach is a continuing one with a further fine of twenty rupees for every day after the first, during which the breach continues.

VIII. B.—Any person appointed by the Central Government as Passenger Welfare Officer, when travelling on board any such ship, may at any time inspect the food supplied to the unberthed passengers, the materials used for the preparation of such food and utensils, cooking places and dining spaces intended for the unberthed passengers and may bring to the notice of the Master of the ship any complaints regarding the quality of the food or materials used in the preparation of such food or the condition of the utensils, cooking places, dining spaces, or the health or behaviour of the catering staff, and it shall be the duty of the Master to take necessary steps, forthwith, to attend to these complaints and make a note in his Log Book of the action taken by him in this regard.

Any person obstructing the Passenger Welfare Officer in carrying out the inspection referred to above or in the discharge of his duties connected therewith shall be punishable with fine which may extend to two hundred rupees and when the offence is a continuing one with a further fine of twenty rupees for every day after the first during which the breach continues."

2. The existing Appendix shall be numbered as Appendix I and after the Appendix as so numbered, the following Appendix shall be inserted, namely:—

"APPENDIX II

1. Form of certificate of inspection to be issued by the Port Health Officer, under Rule VIII. A.

Certified that I have this day _____ inspected the s.s. _____
and find that the food, materials, utensils, cooking places and the dining spaces for unberthed passengers are satisfactory. *Name of the Vess*

2 It is also certified that I have medically examined the catering staff employed on this vessel and find that _____ they are * all _____
in good health and are not suffering from any infectious or contagious disease or suspected to be carriers of any infectious or contagious disease. *they are * excepting those named below*

(Signature)

(Designation)

Name of Port

Dated the

date of

19

*(Strike out the words not applicable).

2. Form of certificate of exemption to be furnished by the Port Health Officer of the main port of embarkation.

"Whereas owing to _____
(here state the circumstances under which it has not been possible
to carry out an inspection as laid down in Rule VIII. A.)
it has not been found possible to inspect the s.s. "_____." as laid down

in Rule VIII.A. of the rules issued under the late Finance and Commerce Department notification No. 1354, dated the 14th March, 1889, I hereby issue this Exemption Certificate for one voyage only commencing from the _____ (date)

from the port _____ to the port of _____
(main embarkation, (destination)

(Name)

Designation:

Port:

Date:

[No. 55-M.A.(4)/52.]

S. K. GHOSH, Dy. Secy.

MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 26th November 1952

S.R.O. 2006.—In exercise of the powers conferred by clauses (f) and (g) of sub-section (1) of section 47 of the Indian Railways Act, 1890 (IX of 1890), read with the notification of the Government of India in the late Department of Commerce and Industry, No. 801, dated the 24th March, 1905, the Railway Board hereby sanctions the extension of the Rules for Warehousing and Retention of Goods and the Rules for Regulating the use of Rolling-Stock, Engines and Trains, published by the notification of the Government of India in the late Railway Department (Railway Board) No. 1080-T, dated the 18th February, 1926, to the Tezapore-Balipara Section of the North Eastern Railway.

[No. 473-TG/52.]

SURJAN SINGH,

Assistant Director, Traffic.
Railway Board.

MINISTRY OF WORKS, HOUSING AND SUPPLY

New Delhi the 26th November 1952

S.R.O. 2007.—In exercise of the powers conferred by sub-section (1) of section 17 of the Requisitioning and Acquisition of Immovable Property Act, 1952 (XXX of 1952), the Central Government hereby directs that the powers exercisable by it by or under section 6 of the said Act in respect of properties requisitioned by it shall be exercisable also by a competent authority, being an officer subordinate to that Government, within the limits of his jurisdiction.

[No. 9586-WII/52.]

K. K. SHARMA, Dy. Secy.

MINISTRY OF LABOUR

New Delhi, the 26th November 1952

S.R.O. 2008.—In exercise of the powers conferred by section 7 of the Employees' Provident Funds Act, 1952 (XIX of 1952), the Central Government hereby directs that the following amendments shall be made in the Employees' Provident Funds Scheme, 1952, namely:—

In Paragraph 26 of the said Scheme—

1. In sub-paragraph (1)—

(a) Before the existing proviso the following proviso shall be inserted:—

"Provided that an employee who, during a period of twelve months, has actually worked in the factory for not less than 240 days shall be

deemed to have completed one year's continuous service in the factory concerned"

- (b) In the existing proviso after the word "provided" the word "further" shall be inserted and after the proviso as so amended the following Explanation shall be inserted, namely:—

Explanation.—For the purpose of the first proviso—

- (a) any days of agreed lay-off, that is to say involuntary unemployment caused by stoppage of work due to shortage of raw materials, fuel, changes in the line of production, breakdown of machinery and any other similar cause;
- (b) in the case of a female employee maternity leave for any number of days not exceeding twelve weeks,
shall be deemed to be days on which the employee has worked in the factory.

2. After sub-paragraph (2), the following sub-paragraph shall be inserted, namely:—

- "(3) If any question arises whether an employee is required to become or continue as a member of the Fund or as regards the date from which he is so required to become a member, the decision thereon of the Regional Commissioner or when State Commissioners are appointed, that of the State Commissioner shall be final"

[No P F 523(4).]

New Delhi, the 28th November 1952

S.R.O. 2009.—Whereas immediately before the Employees' Provident Funds Act, 1952 (XIX of 1952), became applicable to the factory of Messrs. Iocacco Manufacturers (India) Limited, Calcutta, there was in existence a provident fund common to the employees employed in the said factory to which the said Act applies and employees in the establishment of Messrs. Printers (India) Limited, Monghyr;

Now, therefore, in exercise of the powers conferred by section 3 of the Employees' Provident Funds Act, 1952 (XIX of 1952), the Central Government hereby directs that the provisions of the said Act shall also apply to the said establishment of Messrs. Printers (India) Limited, Monghyr.

[No. P. F. 506(18).]

N. M. PATNAIK, Dy. Secy.

New Delhi, the 29th November 1952

S.R.O. 2010.—*Corrigendum.*—In the order of the Government of India in the Ministry of Labour, No S.R.O. 1739, dated the 10th October 1952, published on page 1570 in Part II Section 3 of the *Gazette of India*, dated the 18th October 1952, in item 2 of the Schedule, for the words "Messrs Badhraj Trading Corporation" read "Messrs Bachharaj Trading Corporation".

[No. LR-3(177).]

P. S. EASWARAN, Under Secy.